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Attorneys for Plaintiff, Steffon Barber

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

STEFFON BARBER, an individual,

Plaintiff,

vs.

COUNTY OF SAN BERNARDINO, et
al.,

Defendants.

Case No. 5:22-cv-00625-KK-DTB

Assigned to:

Hon. District Judge Kenly Kiya Kato
Hon. Magistrate Judge, David T. Bristow

JOINT STATUS REPORT

TO THIS HONORABLE COURT: Pursuant to this Court's Order at Dkt. No. 147, the Parties hereby submit this Joint Status Report.

1. The trial of this matter is currently set for January 26, 2026. The final pretrial conference is scheduled for January 8, 2026.
2. On December 30, 2025, Defendants filed a Notice of Appeal of this Court's Order denying summary judgment (Dkt. Nos. 146, 150).

3. On December 31, 2025, Defendants filed an Ex Parte Application for an Order to Stay Proceedings Pending Appeal (Dkt. No. 151).
4. On December 31, 2025, Plaintiff filed an Opposition to Defendants' Ex Parte Application for an Order to Stay Proceedings Pending Appeal (Dkt. No. 153).
5. Also on December 31, 2025, Plaintiff filed an Ex Parte Application for an Order Certifying Defendants' Appeal as Frivolous (Dkt. No. 152).
6. On January 1, 2026, Defendants filed an Opposition to Plaintiff's Ex Parte Application for an Order Certifying Defendants' Appeal as Frivolous (Dkt. No. 154).
7. As reflected in the Parties' briefing at Dkt. Nos. 151-154, the Parties dispute whether this trial should go forward as scheduled on January 26, 2026. Defendants take the position that the trial should not and cannot go forward on January 26, 2026 because of the nature of the interlocutory appeal, the stay is necessary to avoid the possibility of inconsistent verdicts should the case proceed on *Monell* and the state-based claims, and staying the case to avoid multiple trials is in the interest of judicial economy. Plaintiff takes the position that Defendants' Appeal does not stay the district court case because the Appeal is frivolous, the Ninth Circuit does not have jurisdiction over the Appeal, and the trial should proceed as scheduled on January 26, 2026.

DATED: January 5, 2026

LAW OFFICES OF DALE K. GALIPO

By:



Dale K. Galipo

Renee V. Masongsong

Attorneys for Plaintiff, Steffon Barber

Dated: January 5, 2026

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By: *s/ Rodney S. Diggs*
Rodney S. Diggs
Attorney for Plaintiff

Dated: January 5, 2026

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